

1 Your Name: Marylynn Reynolds2 Address: 3225 Goldridge Court, San Jose, Calif. 951353 Phone Number: (214) 296-3575

4 Fax Number: _____

5 E-mail Address: Reynoldsmary21@yahoo.com

6 Pro Se Plaintiff

7
8 United States District Court
9 Northern District of California

E-filing
 ADR
 Filed
 DEC 31 2013
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE
 #4 pl
 See Si

10
11 Marylynn Reynolds12
13 Plaintiff(s),

14 vs.

15 Philip Reynolds16 Fidelity National Financial Corp.17 Fidelity National Title Group18
19 Defendant(s).20
21 Case Number: [leave blank]22 **COMPLAINT**

23 DEMAND FOR JURY TRIAL

24 Yes ☒ No ☐25 **1. Parties in this Complaint**26 a. **Plaintiff(s).** Write your name, address, and phone number. If there are other

27 plaintiffs, use more pages to include their names, addresses, and phone numbers.

28 Name: Fidelity National Financial Corporate Headquarters et al.Address: 601 Riverside Ave, Jacksonville, FL 32204Phone number: 888 934 3354

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b. **Defendant(s).** Write the full name and address of every defendant. If the defendant is a corporation, write the state where it is incorporated and the state where it has its main place of business. Use more pages if you need to.

Defendant 1:

Name: Fidelity National Title Group
 Address: 601 Riverside Ave., Jacksonville FL 32204

Defendant 2:

Name: Richard McMillan (realtor)
 Address: 1729 Tully Road
Modesto, Calif. 95350

Defendant 3:

Name: Fidelity National Title Company, Alana S. Miller, CSEO
 Address: 1067 Blossam Hill Road, San Jose, CA 95128

Defendant 4:

Name: Lori A. Giovanetti (209) 323-5569
 Address: 3310 Providence Way Stockton CA 95209-2126

2. Jurisdiction

Usually, only two types of cases can be filed in federal court: cases involving "federal questions" and cases involving "diversity of citizenship." Check at least one box.

☒ My case belongs in federal court under federal question jurisdiction because it is about federal law(s) or right(s).

Which law(s) or right(s) are involved? Can plaintiff sue defendants for mail fraud (18 U.S.C. 1343) wire fraud (18 U.S.C. 1341) scheme to defraud U.S.C. 1346?

☐ My case belongs in federal court under diversity jurisdiction because none of the plaintiffs live in the same state as any of the defendants AND the amount of damages is more than \$75,000.

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3. Venue

This Court can hear cases arising out of Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, and Sonoma counties. This is the right court to file your lawsuit if 1) All defendants live in California AND at least one of the defendants lives in this district; OR 2) A substantial part of the events you are suing about happened in this district; OR 3) A substantial part of the property that you are suing about is located in this district; OR 4) You are suing the U.S. government or a federal agency or official in their official capacities and you live in this district. Explain why this district court is the proper location to file your lawsuit.

Venue is appropriate in this Court because two defendants, Fidelity National Financial Corp and Fidelity National Title Group are located out of state. Therefore U.S. Federal Court is the appropriate venue.

4. Intradistrict Assignment

There are three divisions of this Court: San Francisco/Oakland, San Jose, and Eureka. The San Francisco/Oakland division covers Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Sonoma counties. The San Jose division covers Monterey, San Benito, Santa Clara, Santa Cruz counties. The Eureka division covers Del Norte, Humboldt, Lake, Mendocino counties, only if all parties consent to a magistrate judge. Explain which division your case should be assigned.

This lawsuit should be assigned to [Select one: San Francisco/Oakland, San Jose, OR Eureka] Division of this Court because defendant, Philip Reynolds works in San Jose, California; plaintiff lives in San Jose.

5. Statement of Facts and Claims

Write a short and simple description of the facts of your case. Include WHERE and WHEN the events happened, WHO was involved, WHAT role each defendant played, and HOW you were harmed. If you know which laws or rights the defendant violated, you can include them, but you do not need to make legal arguments. Put each fact or claim into a separate, numbered

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paragraph, starting with 5a, 5b, and so on. Attach additional sheets of paper as necessary. You may attach documents that support your claims to the end of this Complaint as exhibits. Explain what each exhibit is, when and how you got it, and how it supports your claims. Attaching a document to your Complaint does not necessarily mean that it will be accepted as evidence.

In 1981, Plaintiff, Marylynn Wheeler, an unmarried woman purchased a townhouse in San Jose, California. The address of which is 3419 Prince Albert Court 95132. In February 1983, Plaintiff married the defendant, Philip Sheldon Reynolds. Plaintiff, Marylynn Reynolds filed for divorce in October, 2009. Because plaintiff has had several unscrupulous attorneys, she is still married to the defendant, Mr. Reynolds. Plaintiff has recently discovered (July 2013) that Mr. Reynolds had engaged in secret financial transactions to enrich himself throughout their long-term marriage and that these transactions were facilitated by the title companies. On or near Oct, 2000, Plaintiff paid Dawn a representative of the builder McRoy-Wilbur \$1,500 to hold a lot and an additional \$5,000.00 for lot 15, which was a premium lot. A home was to built on that lot. Plaintiff's husband Philip Reynolds insisted that we employ his friend, Richard or Rich McMillan to handle the real estate transactions specifically the loan transactions. The builder required that we pre-qualify the loan. Rich McMillan had plaintiff to sign documents under the guise that the purpose was to pre-qualify for a loan with Accubanc.

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rev. 6/2013

On or near Dec. 21, 2000, Fidelity National Company employee, Chi Phan initiated-albeit-prematurely a title search and generated a preliminary report (Exhibit A). Unbeknownst to plaintiff, there was no need to generate a preliminary title report in the first place, since the construction on the home would not begin until almost six months later. Shortly after signing the documents for the (bogus) Accubanc loan,

Mr. McMillan stated the Accubanc loan did not go through, and he would have to look for another loan. It took over a year for McRoy Wilbur to build the home. On or near February 15, 2001 another Fidelity National Title company representative, Alana S. Miller, CSEO, facilitated the wire transfer (Escrow 900287-ASM) of \$114,305.62 into a fraudulent SANWA Bank account/checking account ABA Routing # 122003516. Although the document (Special Projects) (Exhibit B) specified plaintiff's name, Marylynn Reynolds, plaintiff was not aware that such account existed. Plaintiff never set up any credit/checking account with Sanwa Bank. In addition to diverting \$114,305.62 to a private account, First American Title Lenders Title Company fraudulently wired money to First American Trust Bank (\$21,268.36) when we refinanced property 1221 Sapphire Court with Bank of America. I contacted the escrow officer in Pleasanton, California and she cannot explain where the \$21,268.38 went. Finally, after refinancing with B of A our loan inexplicably went from \$266,465.43 to \$281,534.79. It should be noted that I am continuing to uncover defendant Philip Reynolds hidden assets.

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6. Demand for Relief

State what you want the Court to do for you. For example, depending on which claims you raise, it may be appropriate to ask the Court to award you money or order the defendant to do something or stop doing something. If you are asking for money, you can say how much you are asking for and why you should get that amount.

Plaintiff requests relief under Mandator Victim
Restoration Act (MVRA) 18 U.S.C. § 3663A. This Act
allows district courts to order payment of restitution.
United States v. Angelica, 859 F.2d 1390, 1392 (9th Cir 1988)

— Plaintiff, Marylynn Reynolds, institutes this action for actual damages, declaratory damages, statutory damages, punitive damages, exemplary damages, pain and suffering damages arising from mail fraud, fraudulent concealment, conspiracy, ~~wire fraud~~ Collusion, breach of duty, and other related violations. This is a civil action and remedies are authorized by the federal statutes at 18 U.S.C. 1961-1970 for declaratory relief, actual, consequential and exemplary damages and for all other relief which this honorable United States District Court deems just and proper under all circumstances which have occasioned this COMPLAINT.

7. Demand for Jury Trial

Check this box if you want your case to be decided by a jury, instead of a judge.

☒ Plaintiff demands a jury trial on all issues.

All plaintiffs must sign, date, and print their names at the end of the Complaint. Attach another page if you need to.

Respectfully submitted,

Date:

Dec. 31, 2013

Sign Name:

Marylynn Reynolds

Print Name:

Marylynn Reynolds

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Transaction 2



Fidelity National Title Company

2150 North First Street, Suite 310 • San Jose, CA 95131
(408) 324-4900 • FAX (408) 432-9011

PRELIMINARY REPORT

Transaction # 7
ESCROW OFFICER: Chi Phan

ORDER NO. 9002287

LOAN NO.

E-C Mortgage
1729 Tully Road
Modesto, CA 95350

ATTN: Veronica

SHORT TERM RATE: no

PROPERTY ADDRESS: 3419 Prince Albert Court, San Jose, California

EFFECTIVE DATE: December 21, 2000 07:30 A.M. *Process Started*

9538

The form of Policy or Policies of title insurance contemplated by this report is:

American Land Title Association Loan Policy (10-17-92) with A.L.T.A. Form 1 Coverage

THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Philip Reynolds and Marylynn Reynolds, husband and wife

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF SAN JOSE, IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "ONE" ATTACHED HERETO AND MADE A PART HEREOF

GS\GS 01/02/2001

process ended

Exhibit A

 *** ERROR TX REPORT ***

TX FUNCTION WAS NOT COMPLETED

TX/RX NO 0044
 DESTINATION TEL # 17142503386
 DESTINATION ID
 ST. TIME 10/30 09:48
 TIME USE 00:00
 PAGES SENT 0
 RESULT NG

#0018 BUSY/NO SIGNAL

Processing Region: 846 - Mortgage Services
 Office Name: 0413 z Santa Clara INACTIVE 212210 (2377)
 Office Address: 1737 North First Street, Suite 110, z San Jose, CA 95112
 Office Phone/fax: (408)579-8391 / (800)204-3635

File No.: 2174407c

Buyer: Reynolds
Seller:

Officer: Dennis Repetto / LL

Property: 1221 Sapphire Ct
Report CA 95366

Doc No / Status	Paid Security / Paid Date	Issue Date / Transmittal DI	Buyer	Disb. Amt / OOB Line	Description / Disbursed As	Bank Name / Bkfc Code - Acc
4131000191		04/19/2004	Philip Reynolds and Marylyn Reynolds 1221 Sapphire Ct, Ripon, CA 95366	\$10,634.36	C	First American Trust FSB - 002
Adjusted		04/20/2004				
4131000191		04/19/2004		- \$10,634.36	Cancel 04-29-2004	First American Trust FSB - 002
Normal		04/29/2004				
4131000192		04/19/2004	Infoblox.com 1735 N. First Street #110 San Jose	\$3,230.00	C	First American Trust FSB - 002
Issued		04/20/2004				
4131000335		04/29/2004	Philip Reynolds and Marylyn Reynolds 1221 Sapphire Ct, Ripon, CA 95366	\$10,634.36	C	First American Trust FSB - 002
Issued		04/29/2004				
60		04/19/2004	First American Title Lenders Advantage 1737 N. First Street, Suite 500 San Jose, CA 95112	\$1,205.00	F	First American Trust FSB - 002
Issued		04/20/2004				
68		04/16/2004	National City Mortgage	\$266,465.43	W	
Issued		04/16/2004				

Note: Service Fee is a memo transaction only.

Total Issued \$297,169.15
 Net Adjustments -\$10,634.36
 Net Issued \$281,534.79
 Total Pending \$0.00
 Total Held \$0.00
 Total \$281,534.79

Printed On: 3/8/2013 4:10:00 PM

EXHIBIT B

Disbursement Summary Report